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PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|   |                             |                               |                 |
|---|-----------------------------|-------------------------------|-----------------|
| <b>Application Number</b>                       | 09/990,437                  |                               |                 |
|   | <b>Filing Date</b>          | November 16, 2001             |                 |
|   | <b>First Named Inventor</b> | Ashkenazi, et al.             |                 |
|   | <b>Group/Art Unit</b>       | 1646                          |                 |
|   | <b>Examiner Name</b>        | Kaufman, Claire M.            |                 |
| <b>Total Number of Pages in This Submission</b> |                             | <b>Attorney Docket Number</b> | 39780-2730P1C49 |

## ENCLOSURES (check all that apply)

|   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> <b>Fee Transmittal Form</b><br><input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Assignment Papers<br>(for an Application)                         | <input type="checkbox"/> After Allowance Communication<br>to Group                            |
| <input checked="" type="checkbox"/> <b>Amendment / Response</b><br><input type="checkbox"/> After Final<br><input type="checkbox"/> Version with Markings Showing<br>Changes<br><input type="checkbox"/> Affidavits/declaration/CV(s) | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences        |
| <input checked="" type="checkbox"/> <b>Extension of Time Request</b><br>(1-month - \$110.00)  | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> Information Disclosure Statement   | <input type="checkbox"/> Petition Routing Slip (PTO/SB/69)<br>and Accompanying Petition    | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Certified Copy of Priority<br>Document(s)  | <input type="checkbox"/> Petition to Convert to a<br>Provisional Application               | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application   | <input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address | <input checked="" type="checkbox"/> Additional Enclosure(s)<br>(please identify below):       |
|   | <input type="checkbox"/> Terminal Disclaimer   | stamped return postcard;  |
|   | <input type="checkbox"/> Small Entity Statement  |   |
|   | <input type="checkbox"/> Request for Refund  |   |
| <b>Remarks</b>  |  |   |
| AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES<br>DUE IN CONNECTION WITH THIS PAPER reference Atty. Docket No. 39780-<br>2730P1C49).  |  |   |

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

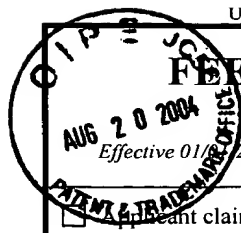
|  |  |                         |       |
|--|--|-------------------------|-------|
| <b>Firm<br/>or<br/>Individual name</b> | DAPHNE REDDY, Reg. No. 53,507, HELLER EHRMAN WHITE & McAULIFFE LLP |                         |       |
| <b>Signature</b>                       | <i>Daphne Reddy</i>  |                         |       |
| <b>Date</b>                            | August 20, 2004  | <b>Customer Number:</b> | 35489 |

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|  |                      |             |                 |
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| I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 |                      |             |                 |
| Express Mail Label EL 993 689 103 US   |                      |             |                 |
| <b>Typed or printed name</b>   | Cheryl Rogers        |             |                 |
| <b>Signature</b>   | <i>Cheryl Rogers</i> | <b>Date</b> | August 20, 2004 |

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# FEE TRANSMITTAL for FY 2004

Effective 01/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 110.00

## Complete if Known

Application Number 09/990,437  
Filing Date November 16, 2001  
First Named Inventor Ashkenazi, et al.  
Examiner Name Kaufman, Claire M.  
Art Unit 1646  
Attorney Docket No. 39780-2730P1C49

## METHOD OF PAYMENT (check one)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 08-1641 (Docket No. 39780-2730P1C49)

Deposit Account Name Heller Ehrman White & McAuliffe LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 1001           | 770             | 2001           | 385             | Utility filing fee     |          |
| 1002           | 340             | 2002           | 170             | Design filing fee      |          |
| 1003           | 530             | 2003           | 265             | Plant filing fee       |          |
| 1004           | 770             | 2004           | 385             | Reissue filing fee     |          |
| 1005           | 160             | 2005           | 80              | Provisional filing fee |          |

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent Claims | -20** =      | x              | =        |
| Multiple Dependent | -3** =       | x              | =        |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description   |
|----------------|-----------------|----------------|-----------------|---|
| 1202           | 18              | 2202           | 9               | Claims in excess of 20                                    |
| 1201           | 86              | 2201           | 43              | Independent claims in excess of 3                         |
| 1203           | 290             | 2203           | 145             | Multiple dependent claim, if not paid                     |
| 1204           | 86              | 2204           | 43              | **Reissue independent claims over original patent         |
| 1205           | 18              | 2205           | 9               | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description  | Fee Paid |
|----------------|-----------------|----------------|-----------------|--|----------|
| 1051           | 130             | 2051           | 65              | Surcharge - late filing fee or oath  |          |
| 1052           | 50              | 2052           | 25              | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053           | 130             | 1053           | 130             | Non-English specification  |          |
| 1812           | 2,520           | 1812           | 2,520           | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804           | 920*            | 1804           | 920*            | Requesting publication of SIR prior to Examiner action                     |          |
| 1805           | 1,840*          | 1805           | 1,840*          | Requesting publication of SIR after Examiner action                        |          |
| 1251           | 110             | 2251           | 55              | Extension for reply within first month                                     | 110.00   |
| 1252           | 420             | 2252           | 210             | Extension for reply within second month                                    |          |
| 1253           | 950             | 2253           | 475             | Extension for reply within third month                                     |          |
| 1254           | 1,480           | 2254           | 740             | Extension for reply within fourth month                                    |          |
| 1255           | 2,010           | 2255           | 1,005           | Extension for reply within fifth month                                     |          |
| 1401           | 330             | 2401           | 165             | Notice of Appeal   |          |
| 1402           | 330             | 2402           | 165             | Filing a brief in support of an appeal                                     |          |
| 1403           | 290             | 2403           | 145             | Request for oral hearing   |          |
| 1451           | 1,510           | 1451           | 1,510           | Petition to institute a public use proceeding                              |          |
| 1452           | 110             | 2452           | 55              | Petition to revive - unavoidable   |          |
| 1453           | 1,330           | 2453           | 665             | Petition to revive - unintentional   |          |
| 1501           | 1,330           | 2501           | 665             | Utility issue fee (or reissue)   |          |
| 1502           | 480             | 2502           | 240             | Design issue fee   |          |
| 1503           | 640             | 2503           | 320             | Plant issue fee  |          |
| 1460           | 130             | 1460           | 130             | Petitions to the Commissioner  |          |
| 1807           | 50              | 1807           | 50              | Processing fee under 37 CFR 1.17(q)  |          |
| 1806           | 180             | 1806           | 180             | Submission of Information Disclosure Stmt                                  |          |
| 8021           | 40              | 8021           | 40              | Recording each patent assignment per property (times number of properties) |          |
| 1809           | 770             | 2809           | 385             | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810           | 770             | 2810           | 385             | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801           | 770             | 2801           | 385             | Request for Continued Examination (RCE)                                    |          |
| 1802           | 900             | 1802           | 900             | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_  
\* Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$110.00)

## SUBMITTED BY

| Name (Print/Type)             | Registration No. (Attorney/Agent) | Telephone          |
|-------------------------------|-----------------------------------|--------------------|
| DAPHNE REDDY                  | 53,507                            | 650-324-7000       |
| Signature <i>Daphne Reddy</i> | Date August 20, 2004              | Customer No. 35489 |

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop 1, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ashkenazi et al. Docket No.: 39780-2730P1C49  
Serial No.: 09/990,437 Group Art Unit: 1646  
Filing Date: November 16, 2001 Examiner: Kaufman, Claire M.  
For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND  
NUCLEIC ACIDS ENCODING THE SAME**

**EXPRESS MAIL LABEL NO. EL 993 689 103US**

**Date Mailed: August 20, 2004**

**MS: Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Office Action mailed on April 19, 2004 in connection with the above-identified patent application, please enter the following amendments, and consider the following arguments. This response is timely filed with a Petition for extension of time for one month with necessary fees.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims that begins on page 4 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.